



Implementation and Orientation
to the
Workforce Investment Act:
Guidance for
Missouri Local Elected Officials

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Implementation and Orientation for the Workforce Investment Act Guidance for Missouri Local Elected Officials

Introduction

This booklet provides the information that chief local elected officials need to begin implementing the Workforce Investment Act of 1998, with the appointment of the Local Workforce Investment Boards.

In 1998, the Workforce Investment Act was signed into law, ending the 15-year-old Job Training Partnership Act and recognizing One-Stop Career Centers as the mechanism to provide efficient publicly funded employment and training services.

As the Act specifies, chief local elected officials will have a stronger role and continue to provide leadership in workforce development, serving as the lynchpins for establishing and overseeing the Workforce Development System.

Chief local elected officials are responsible for appointing members to the new Local Workforce Investment Board. The Act specifies some requirements and identifies the categories from which to select these members.

On June 30, 2000, the familiar role of Private Industry Councils ceased to exist with the transition to Workforce Investment Boards. Fourteen state-approved local workforce investment areas formed their new boards in compliance with the new law on April 1, 2000.

A local board in each of the fourteen Workforce Investment Areas serves the key role of providing direction on local strategic workforce issues, identifying global needs and developing strategies to address those needs. The Chief Local Elected Official works in conjunction with the Local Workforce Investment Board to establish infrastructures and operational programmatic protocols, that include developing the five-year local workforce investment plan; selecting the One-Stop Career Center Operators; and appointing the youth council.

The Local Workforce Investment Board will interface with the mandatory One-Stop Career Center partners and other partners that the Chief Local Elected Officials determine necessary to be service providers or contractual agents for services. Brokering may need to occur with other nontraditional service providers and other community groups when the Local Workforce Investment Board certifies designated One-Stop Career Center facilities and determines resources for other sites or networks. As local entities package these operational pieces, ongoing dialogue should occur with state agencies for technical assistance and contract compliance.

In addition to the policy and oversight roles of the Local Workforce Investment Board, Chief Local Elected Officials will provide outreach to employers to meet the local requirements of developing employer linkages and economic development strategies to assist in meeting their hiring needs. Chief local elected officials and the Local Workforce Investment Board dialogue with neighboring local workforce investment areas to meet joint regional workforce development planning responsibilities.

To take full advantage of the breadth of the Workforce Investment Act, local workforce investment board members should be individuals who are actively involved, energetic and interested in all aspects of developing the workforce. Local board members must be individuals who are leaders in developing local policy.

Additional guidance will be provided at a later date on issues such as the administrative transfer of private industry council operations to local workforce investment boards, the certification process for One-Stop Career Center Operators, and the process for local workforce investment boards to provide services under the Workforce Investment Act. Additional guidance to Local Elected Officials as contained in this document may also be necessary at various times in the interim period following its publication.

Note: *This document does not provide a detailed overview of the Workforce Investment Act of 1998. We recommend that you review the Act in its entirety, to ensure full compliance on your behalf. If you are interested in more detail, contact Lindell Thurman at the Division of Workforce Development (573-526-8241). Information is also available on the Division of Workforce Development Internet Web Site at <http://www.ecodev.state.mo.us/wfd/>*

MOVING FROM THE JOB TRAINING PARTNERSHIP ACT TO THE WORKFORCE INVESTMENT ACT

What is different about the Workforce Investment Act?

The Workforce Investment Act replaces the Job Training Partnership Act and offers a broader approach to employment and training. Some of the key differences are:

- ◆ The Workforce Investment Act establishes local workforce investment boards to oversee the One-Stop Career Center delivery system and a youth council as a subgroup of the Local Workforce Investment Board.
- ◆ The partnership between the Chief Local Elected Officials and the Local Workforce Investment Board is strengthened to ensure that local needs drive the Workforce Development System.
- ◆ The Workforce Investment Act mandates a one-stop career center approach for integration of service delivery.
- ◆ The role of the Local Workforce Investment Board is to improve coordination.
- ◆ The Workforce Investment Act allows services to be provided to the general public, not just disadvantaged persons.
- ◆ The Workforce Investment Act adopts three levels of services for adults. The initial level - core services, is available for all; more intensive and training services are available for those who need them.
- ◆ The Workforce Investment Act is not a block grant but does call for unified planning among the Local Workforce Investment Area partners and common use of the One-Stop Career Center System.
- ◆ The scope of youth services is determined by the Chief Local Elected Officials and Local Workforce Investment Boards.

How might a local workforce investment board member be different from a Private Industry Council member?

As nominations are sought and appointments are made, the expanded charge to the new Local Workforce Investment Board may call for members with different backgrounds and characteristics.

- ◆ The Local Workforce Investment Board under the Workforce Investment Act operates at the big picture, strategic planning level, versus detailed program operation, and so to be fully effective, members should think globally and be influential community leaders.
- ◆ Appointees, both public and private sector, must be people with optimum decision making authority, meaning those who function at a higher level in their organization.
- ◆ Members representing business must be individuals who are owners, chief executive officers, chief operating officers or other individuals with optimum decision making or hiring authority.
- ◆ The Workforce Investment Act incorporates additional programs and requires local workforce investment board representation from certain types of entities that may not have been involved under Job Training Partnership Act.

Workforce Investment Act Required Partners - How will they all link together?

The required one-stop programs will provide services through the One-Stop Career Center System in at least one physical center in each local workforce investment area and also through a network of affiliated career centers. The Workforce Investment Act requires three basic methods to ensure that all partners are part of the One-Stop Career Center delivery system:

- ◆ A Memorandum of Understanding between the Local Workforce Investment Board and the One-Stop Career Center partners.
- ◆ Each required one-stop partner must be represented on the Local Workforce Investment Board.
- ◆ The five-year local workforce investment plan will describe how all program partners will participate in the local One-Stop Career Center delivery system.

***Note:** For additional information, see Attachment A on Key Partner Relationships.*

Missouri's Local Coordination Planning Efforts

In addition to the above Workforce Investment Act requirements, another source of information is the ongoing area-wide coordination planning process that is underway in local Workforce Investment Areas. The original Workforce Investment Plan for local areas was developed to encompass a five-year planning period, as approved July 1, 2000. Interim period changes in the local workforce investment plan are considered plan modifications and are accomplished under the conditions explained in local planning guidelines contained in Division of Workforce Development Issuance No. 01-00, Change 1, Plan Modification Procedures.

INITIAL ACTIVITIES OF THE CHIEF LOCAL ELECTED OFFICIAL

Appointment of the Local Workforce Investment Board

Role of the Local Board

A local board in each of the fourteen Workforce Investment Areas has the key role of providing direction and leadership about ongoing local strategic workforce issues, identifying local needs and developing strategies to address them. The Local Workforce Investment Board will be responsible for administering the Title I program of the Workforce Investment Act and the Welfare-to-Work program. The Chief Local Elected Official appoints the Local Workforce Investment Board, and then both groups will work together to:

- ◆ develop the five-year workforce investment area plan;
- ◆ convene the necessary leadership events to provide ongoing strategic and regional workforce investment planning;
- ◆ select the One-Stop Career Center Operator; and
- ◆ determine conditions to allow the Local Workforce Investment Board to provide core and intensive services and determine the potential need to request waivers from the Governor to provide training services.
- ◆ appoint the Youth Council;
 - ❖ The School-to-Work program in Missouri has been operating for approximately three years. There are nearly 4,000 employers and hundreds of leaders from high schools and technical colleges that have been actively involved and would be excellent members of the Local Workforce Investment Boards and / or the Youth Council.
 - ❖ As chief local elected officials seek nominations and make appointments to the Local Workforce Investment Board, they should keep in mind the need for members who have an interest in, or connection to, youth services and programming.

Note: *A complete listing of board responsibilities can be found in the Workforce Investment Act at Section 117 or on the Division of Workforce Development Web Site:*
<http://www.ecodev.state.mo.us/wfd/>

Certification

The Governor will certify a local board for each local workforce investment area upon submission of the *Request for Workforce Investment Board Certification and Membership List* and then once every two years thereafter.

If the Chief Local Elected Officials cannot agree on members for the Local Workforce Investment Board, the Governor may appoint the members of the Local Board from individuals that have been nominated via the local process.

The Governor can also decertify a local workforce investment board under either of the following conditions:

- ◆ fraud, abuse or failure to carry out functions or
- ◆ failure to meet local performance measures for two consecutive years.

Board Composition Requirements and Criteria

Chief local elected officials in each workforce investment area will appoint the Local Workforce Investment Board. The following information describes the process that chief local elected officials must follow for the selection and appointment of local workforce investment board members.

Local workforce investment board members must be individuals who are leaders in developing local policy. These members should possess qualities of hands-on, results oriented leadership, a willingness to question and improve process while thinking globally. The new Workforce Investment Board members must be committed to the new opportunities possible in the Workforce Investment Act and vigilant in the commitment that this will not be business as usual.

No core or intensive services should be provided by local workforce investment boards, their staff or administrative designees, nor shall they be designated or certified as a one-stop operator after June 30, 2000. Chief local elected officials, may request that the Missouri Training and Employment Council recommend grant exemption to the Governor from this service prohibition, if it can be shown there are no feasible alternatives. The intent of the Workforce Investment Act was to charge the Local Workforce Investment Boards with responsibility of making policy and not the delivery of service.

The Local Workforce Investment Board must include two or more members representing the following categories.

Local Area Business Representatives

Representatives of businesses and industries with employment opportunities that reflect local labor market needs, including individuals who are business owners, chief executives, operating officers or other executives with optimum decision making authority.

Business representatives must constitute a majority of the Local Workforce Investment Board membership. A business representative will be elected to act as the chairperson of the Local Board. Business representatives are to be appointed from among individuals nominated by local business organizations and business trade associations.

Education Agencies

Representatives of local educational agencies, school boards, entities providing adult education and literacy activities and postsecondary educational institutions including representatives of community colleges, shall be selected from among individuals nominated by their peers.

Representatives of educational entities will be selected from individuals nominated by regional or local educational agencies, institutions or organizations. These individuals must have optimum decision making authority.

Organized Labor

Representatives of labor organizations (for a local area in which employees are represented by labor organizations), shall be nominated by local labor federations or (for a local area in which no employees are represented by such organizations) other representatives of employees. These individuals must have optimum decision making authority.

Community-Based Organizations

Representatives of community based organizations including organizations representing individuals with disabilities and veterans, for a local area in which such organizations are present. These individuals must have optimum decision making authority.

Economic Development Agencies

Representatives of economic development agencies including private sector economic development agencies. These individuals must have optimum decision making authority.

The Local Workforce Investment Board must include at least one member representing each of the following groups.

Other Groups

- ◆ Representatives of each of the One-Stop Career Center Partners.
- ◆ Other individuals or representatives of entities the Chief Local Elected Official determines to be appropriate.

Authority Considerations

Local workforce investment board members that represent other organizations, agencies or entities must be individuals with "optimum policy making authority." The applicable federal regulation, 20 CFR §661.203, defines optimum policy making authority as "an individual who can reasonably be expected to speak affirmatively on behalf of the entity he or she represents and to commit that entity to a chosen course of action."

At the time of the original certification of Missouri's local workforce investment boards in June 2000, the interim federal regulation required optimum policy making authority of the local board members, but did not define the term. As such, a less restrictive standard may have been applied for initial certification. Now, however, the specific definition must be followed and can impact the subsequent naming of persons to the individual boards. The Division will be looking for evidence of optimum policy making authority by the job title assigned to the individual, such as Owner, Co-owner, Chief Executive Officer, Chief Operations Officer, President, Chairman, Managing Director, Director, Executive Director or Managing Vice-President. Other titles will be considered if substantive evidence is included demonstrating that the person with the title meets the criteria outlined in the regulations.

Compliance with this mandate would also suggest that the top-level official of the state agency members be the members of the local boards; however, this would be very burdensome for such a person to attend the local meetings of fourteen different local boards on a regular basis. As such, the agency directors will be the titular representatives of the agency on each of Missouri's fourteen local boards, but each director will name an alternate for each area that will attend and speak for the director when he or she is unable to personally attend local board meetings.

Other than individuals representing business, an individual may represent more than one entity. For example, a representative of a community-based organization that is also a one-stop career center partner representative, may represent each of those groups on the local board.

In order to maintain the partnership between the local Workforce Investment Board and Chief Local Elected Officials, Chief Local Elected Officials may not serve on the local boards if they are parties to the Chief Local Elected Official agreement.

Diversity Considerations

When appointing members to the Local Workforce Investment Board, it is important that consideration is given to the racial, ethnic and cultural diversity of the labor markets within the Local Workforce Investment Area.

In October 1999, the Missouri Training and Employment Council adopted a diversity policy that local workforce investment board represent the racial, ethnic and cultural diversity, as well as the diversity of individuals with disabilities, of the labor markets within the Local Workforce Investment Area. Local elected officials will find a wealth of information about how to provide this consideration through the Internet. Appropriate references to helpful resources on this topic are shown in Attachment G.

Local Workforce Investment Board members were appointed and operational in every local area on April 1, 2000. Recertification will take place by April 1, 2002. It is advantageous to have a plan of action in place, beginning even in 2001, for seeking recertification no later than April 1, 2002.

The Division of Workforce Development should receive the initial *Request for Local Workforce Investment Board Recertification and Membership List* as soon as possible following the appointment of the board members for recertification. If the Division has not notified the Chief Local Elected Official of the recertification or denial of recertification of the Local Board within 30 days of the date of the initial submission of the *Request for Local Workforce Investment Board Recertification and Membership List*, the Chief Local Elected Official should consider the recertification approved and the Local Workforce Investment Board may continue conducting business.

Note: Please complete Attachment B, *Request for Local Workforce Investment Board Recertification and Membership List*.

Youth Council

The Chief Local Elected Official will work in cooperation with the local Workforce Investment Board to establish the local Youth Council which provides necessary input to the Board regarding youth services and workforce programs. The Youth Council provides a unique opportunity for local communities to create, through a common vision, a system of activities and services enabling youth to be successful in education and the workplace and to become leaders in their community.

Youth Council Duties

The Youth Council is responsible for coordinating youth activities in a local area, as well as developing the portions of the local Workforce Investment Plan that relate to eligible youth, as determined by the Chair of the local Workforce Investment Board. The Youth Council's other duties are:

- ◆ Recommending eligible providers of youth activities to be awarded grants or contracts on a competitive basis, subject to the approval of the local Board;
- ◆ Conducting oversight with respect to the eligible providers of youth activities in the local area, subject to the approval of the Board; and
- ◆ Other duties deemed appropriate by the Chair of the local Board, such as establishing linkages with educational agencies and other youth entities.

Youth Council Composition Requirements and Criteria

The Youth Council is appointed by the local Workforce Investment Board, in close cooperation with the Chief Local Elected Official. The membership of each Youth Council must include:

- ◆ Any member of the Local Workforce Investment Board with a special interest or expertise in youth policy;
- ◆ Representatives of youth service agencies, such as juvenile justice and local law enforcement agencies;
- ◆ Representatives of local public housing authorities;
- ◆ Parents of eligible youth seeking assistance under the Workforce Investment Act;
- ◆ Individuals, including former WIA Title I youth participants, and representatives of organizations, that have experience relating to youth activities;
- ◆ Representatives of Job Corps, if a Job Corps Center is located in the local area represented by the Council; and
- ◆ Such other individuals as the Chair of the local Board, in cooperation with the Chief Elected Official, deems to be appropriate. The Board should consider appointing current WIA Title I youth participants, both in-school and out-of-school, to serve on the Youth Council in order to obtain youth input into Youth Council decisions.

Members of the Youth Council who are not members of the local Board must be voting members of the Youth Council and nonvoting members of the local Board.

Meeting Youth Council composition requirements is vital to the success of the Youth Council and has just as strong a bearing on local Workforce Investment Board certification status as do the Board composition requirements. Boards should have a policy in place to solicit nominations for membership to the Youth Council. This policy should include a mechanism to ensure that all required membership groups are represented on the Board, including a method to ensure that if a Youth Council member resigns, the vacancy will be filled with a representative from the same group the previous member represented.

This policy should also include a method for appointing or electing a chair of the Youth Council. The Chair is instrumental in carrying out the work of the Youth Council, as well as for ensuring that the local Board remains connected to and involved in the activities of the Youth Council. Each Board should consider appointing the Youth Council chair to any existing executive committee of the Board in order to formalize that relationship.

Conflict of Interest

A member of a local workforce investment board may not vote on a matter under consideration by the Local Workforce Investment Board regarding provision of services by such member, by an entity that such member represents, by an entity for which the member is employed, or that would provide direct financial benefit to such member or a member of his or her immediate family. In addition, a local workforce investment board member may not engage in any other activity determined by the Governor to constitute a conflict of interest as specified in the State Plan.

A business sector representative may not be an employee of a public sector organization represented on the Local Workforce Investment Board, including state and local governmental agencies.

These provisions should not be construed to prohibit local workforce investment board members from training or employing Workforce Investment Act participants.

Certification by the Governor

After selecting local workforce investment board members from the nominees submitted, the Chief Local Elected Officials must submit the membership information in the form of the *Request for Local Workforce Investment Board Certification and Membership List* to the Division of Workforce Development for certification of the Local Workforce Investment Board by the Governor.

The Division of Workforce Development, acting for the Governor, will review the *Request for Local Workforce Investment Board Certification and Membership List* and forward those requests meeting the requirements of the Act, this issuance and other applicable state and federal regulations, to the Governor. After certification by the Governor, the Division will provide the Chief Local Elected Officials and the Local Workforce Investment Board chair written notification of the Governor's certification of the Local Workforce Investment Board.

Whenever the Local Workforce Investment Board membership falls below 51% business representatives, or when more than one non-business category (other than One-Stop partners) has lost both members, or when any vacancy is for more than 120 days, the Local Workforce Investment Board will be considered to be out of compliance with the Act. When this occurs, the Division reserves the right to withhold recognition of local board actions until the Local Board meets the membership requirements stipulated in the Act.

Chair Requirements

The Local Workforce Investment Board chair must be selected from among the members of the Local Workforce Investment Board who represent business. Any other officer who may assume the responsibilities of the Chair must be selected from among the members of the Local Board who represent business.

The vice-chair must fill the office of chair within 120 days of a vacancy.

Term Expiration

The certification of the Local Workforce Investment Board will expire June 30, 2002, and the last day of June every two years thereafter. A new *Request for Local Workforce Investment Board Certification and Membership List* must be submitted to Division of Workforce Development by April 1, 2002, and on the first day of April every two years thereafter.

Notification of Member Changes

Whenever a change in the voting membership of the Local Workforce Investment Board occurs, the Division of Workforce Development must be notified in writing within five working days of the effective date of new members' appointment. The notification must be from the Chief Local Elected Official or by someone designated in the Chief Local Elected Official Agreement to notify the Division. The Local Workforce Investment Board Composition Change form accompanied by letters of nomination and appointment may be used to satisfy the requirement of written notification to the Division. The Division will review the certification in light of the new membership to ensure it is still in compliance with Section 117 of the Act.

Note: Please complete Attachment C, *Notification of Local Workforce Investment Board Composition Change*.

Regional Planning and Cooperation

When labor market areas overlap workforce investment area boundaries, Missouri requires regional planning and cooperation between these local workforce investment boards. Two or more states may also designate interstate regions for these same activities. Activities required by federal regulation include:

- ◆ information sharing on employment statistics, employment opportunities and trends and other information that might improve performance, and
- ◆ coordination of services, including transportation and supportive services.

What are the other regional planning policy requirements?

There are two approaches to meeting the policy requirements. One is to take a literal and minimal approach implied by federal regulation. A second approach is to implement regional strategic planning. Both approaches would document in writing the planned strategies of other workforce related agencies in the regional area and your workforce responses to those strategies. How would you do that; investing a minimal amount of time and effort? It is reasonable that workforce planners would follow these basic steps:

- ◆ Develop a "laundry-list" of workforce development related agencies in your region. It will be left to the staff of each local workforce investment area to determine, "do I have a similar agency, providing similar services in my area?."
- ◆ **Develop a contact list of telephone numbers (e-mail addresses if possible) of all these agencies.**
- ◆ Make contact with these agencies to exchange plans. You need each of their plans, of one exists, and you need to offer them an opportunity to review yours.
This is a golden opportunity for a public relations and information "nugget." It is a small one, but if you are contacting an entity that you have previously not had an in-depth working relationship with, sell them what your workforce agency can offer. They might bring customers to your benefit.
- ◆ **Review and study the plans of all these other agencies.**
Do they have common problem causes, common affects due to the problems, most importantly, are there common solutions? Are there unmet labor market needs that could be met by a previously unknown source? Are there needs identified in these plans that have previously never been reviewed that in fact could be met by the workforce investment act or partner agencies?
- ◆ **Include the results of what you have learned in your Workforce Investment Plan.**
- ◆ **Exchange plans again with area workforce related agencies, using strategies you have incorporated to address the needs of others while also addressing those of your own.**

These are the minimum number and type of basic steps involved in meeting State regional planning policy. Obviously, as they are carried out, learning may occur and introduce the need for additional steps. The unknown factors of this learning are what were envisioned by the provision for regional planning in federal regulations. Planners may find that some of these workforce related agencies do not have written planning strategies. Other agencies may be uninvolved and uncooperative in

exchanging their plans. Yet others, may participate and ultimately disagree with workforce strategies designed to address their planned needs. Whatever the outcome of the process of making these contacts, the policy and process described to comply with it establishes a "documentable" one to prove that attempts at engaging regional stakeholders in an exchange of strategies has been made.

Which workforce investment areas are required to perform regional planning?

The policy was enacted with specific regions identified. These areas are:

1) The St. Louis metropolitan Regional Planning Area:

Composed of the following Workforce Investment Areas:

- ◆ St. Louis City
- ◆ St. Louis County
- ◆ St. Charles County

And the following adjoining Counties: Warren and Lincoln

2) The Kansas City metropolitan Regional Planning Area:

Composed of the following Workforce Investment Areas:

- ◆ Kansas City
- ◆ East Jackson County

And the following adjoining County: Clinton

3) The Southeast Regional Planning Area:

Composed of the: Southeast Workforce Investment Area

And the following adjoining County: Washington

(Note: see the Map in Attachment 4 and the policy in Attachment 2 for describing each county involved).

When is regional planning required to be demonstrated by the policy?

The time frame requirements for regional planning are as follows:

St. Louis and Kansas City metropolitan regions:

- | | |
|--|---------------|
| ◆ Minimal regional planning met last July and now: | May 2001 |
| ◆ Conclude Year One without performance measures: | June 30, 2001 |
| ◆ Conclude Year Two with performance measures: | June 30, 2002 |

Southeast region:

- ◆ Minimal regional planning met last July and now: May 2001
- ◆ Begin regional planning July 1, 2000
- ◆ Document regional planning July 1, 2002

All other Workforce Investment Areas:

- ◆ Encouraged to conduct regional planning: July 1, 2000
- ◆ No specific requirement or deadline to incorporate performance measures

A second approach to meet regional planning policy in an exemplary manner is encouraged. This would entail incorporating regional planning into the process of developing a strategic plan for the workforce investment area. Additional information and resources for achieving this is provided in the list of resources for more information, in Attachment G.

Check List of Tasks for Chief Local Elected Officials

The following is a suggested timeline and a checklist of tasks to be accomplished.

	DATE	TASKS
<input type="checkbox"/>	11/01	Begin nomination process for Local Workforce Investment Board members (letters to appropriate potential members for re-certification).
<input type="checkbox"/>	02/28/02	Close nomination process for Local Workforce Investment Board members.
<input type="checkbox"/>	03/01/02	Local Workforce Investment Area plan modifications due to the Missouri Training and Employment Council.
<input type="checkbox"/>	04/01/02	Submit Local Workforce Investment Board Certification and Membership List to the Division of Workforce Development for certification.
<input type="checkbox"/>	6/30/02	Local Workforce Investment Boards certified by the Governor.

ONGOING ROLE OF THE CHIEF LOCAL ELECTED OFFICIAL

Serve as grant recipient and fiscally liable party for grant funds under Workforce Investment Act Title I Adult, Dislocated Worker and Youth Programs

Slightly different from the arrangement under the Job Training Partnership Act, the Chief Local Elected Officials are named directly as the grant recipient, but do have the option to designate another entity to receive the grant. However, the Chief Local Elected Officials do retain fiscal liability regardless of whether they designate another entity to be the grant recipient. Fiscal liability only applies to the Workforce Investment Act Title I funds, not to any of the other One-Stop Career Center partner agency funding.

Approve budget for carrying out duties of the Local Workforce Investment Board

The Local Workforce Investment Board is responsible for developing a budget for the purpose of carrying out the duties of the Local Board and Workforce Investment Act Title I programs, but that budget is subject to approval by the Chief Local Elected Official.

Provide comprehensive oversight of the activities of the Local Workforce Investment Board

The Workforce Investment Act provides for chief local elected officials to be involved in the majority of local board activities. The exact wording or the role varies, including phrases such as: *with the agreement of, unless agreed to by, in partnership with, subject to the approval of, in cooperation with and consulted with*. Except where it clearly states "approval" such as with *approval of the budget*, the details of how chief local elected officials and local workforce investment boards will work together should be negotiated and contained in an agreement between the two groups.

Ensure that partnerships are functioning effectively

The Chief Local Elected Officials can play a role as facilitators with the Local Workforce Investment Board and the One-Stop Career Center partner agencies to make sure that job seekers and employers are being served and that local needs are being met. Effectiveness of the Local Workforce Investment Board will be a factor in re-certification every two years, and chief local elected officials should take an active role in monitoring this.

Participate and lead ongoing leadership change efforts

Along with ensuring working partnerships, an activity that accompanies this effort hand-in-hand, is the participation and leadership involved in sustaining an ongoing strategic planning effort.

PARTNERSHIP ROLES OF THE CHIEF LOCAL ELECTED OFFICIAL UNDER THE WORKFORCE INVESTMENT ACT

This section provides a glimpse of the roles and responsibilities for chief local elected officials in the overall Workforce Investment Act. These activities most likely will be initiated by others and brought to the Chief Local Elected Officials for consultation, or to seek concurrence or approval.

In Partnership with the Local Workforce Investment Board

The following are duties that the Chief Local Elected Officials and Local Workforce Investment Board must do together:

- ◆ Appoint a youth council as a subgroup of the Local Workforce Investment Board, based on Workforce Investment Act criteria and agreement of the Local Workforce Investment Board Chairperson and Chief Local Elected Official;
- ◆ Develop a five year plan for the Local Workforce Investment Area;
- ◆ Conduct oversight of one-stop career center system, youth activities and employment and training activities;
- ◆ Select one-stop career center operators and providers and may also terminate for cause;
- ◆ Agree on Memorandum of Understanding between the Local Workforce Investment Board and the One-Stop Career Center Partners;
- ◆ Negotiate and reach agreement on performance measurement levels and any additional local measures (Local Workforce Investment Boards, Chief Local Elected Officials and Governor); and
- ◆ Determine whether to seek waivers from the Governor.

In Partnership with the Governor

The following are duties that the Chief Local Elected Officials and Governor must do together:

- ◆ Negotiate on waiver requests as needed;
- ◆ Negotiate and reach agreement on state and local performance measures (Local Workforce Investment Boards, Chief Local Elected Officials and Governor);
- ◆ Agree on accepting regional planning activities in addition to local planning requirements; and
- ◆ Coordinate state rapid response activities and disasters, plant closing, and mass layoffs.

In Partnership with the Missouri Training and Employment Council

The Missouri Training and Employment Council and chief local elected officials must work together on methods and factors used to distribute youth and employment and training funds.

Note: *For reference and duplication please see Attachment D - Sample Local Workforce Investment Board Resolution for Counties to Work Together; Attachment E - Sample Charter Chief Local Elected Official Consortium Agreement; Attachment F - Sample Chief Local Elected Official Consortium Bylaws; and Attachment G - Local Workforce Investment Area Designation Map.*

ATTACHMENTS

Attachment A:	Key Partner Relationships
Attachment B:	Request for Local Workforce Investment Board Certification and Membership List
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KEY PARTNER RELATIONSHIPS

The following is a descriptive narrative to help you understand the various groups and their relationships to the Workforce Investment Act of 1998.

Governor

The Governor will establish the framework for implementing the Workforce Investment Act including key areas of policy governance and workforce development system directions.

Missouri Training and Employment Council

The Missouri Training and Employment Council will work with the Governor on overall workforce visions and specific strategies to best serve job seekers and employers. The Council will work toward the aligning the funding of the individual workforce development programs through common objectives via the Workforce Investment Act State Plan. This will involve interaction with affected partners. The Council's ongoing plan approvals and policy oversight roles will help to ensure the accomplishment of statewide objectives. Additional guidance will also be provided directly to the Local Workforce Investment Boards. Finally, further emphasis will be placed on addressing labor shortage needs with improved employer linkages.

Initially, the Council, in tandem with the Governor, will focus on key implementation aspects of the Act including directions to the Chief Local Elected Officials on local workforce investment board criteria and allocations; certifying local workforce investment boards, approving waivers and training providers; negotiating performance levels with U.S. DOL and the Local Workforce Investment Boards. Directions on individually funded programs for local partner actions will also be provided. The Council's review and approval of the Local Workforce Investment Area Plan will step off a five year thrust of comprehensive training, education related training and employment placement activities among the Workforce Investment Area partners which the Council will continually monitor and adjust policy directions accordingly.

Chief Local Elected Official

After the Chief Elected Official agree on appointments to the Local Workforce Investment Board and designates a grant recipient, there will be an ongoing relationship between the Chief Local Elected Official and Local Workforce Investment Board. Whether the Chief Local Elected Officials regularly attend board meetings, or establish other venues, they will be mutually working together on youth council appointments; identifying roles and responsibilities of all parties including selecting a One-Stop Career Center Operator; an operating budget and preparing any waivers. The Chief Local Elected Official must agree on performance measures. In general, the Chief Local Elected Official has ongoing oversight of the Local Workforce Investment Board's activities.

The Chief Local Elected Official will also be the liaison to the other local elected officials, and may serve in a broker role among state and local policy makers or one-stop career center partners. In

conjunction with the Local Workforce Investment Board, the Chief Local Elected Official will connect with the Governor and Missouri Training and Employment Council to negotiate local performance measures. Cooperation on larger pieces such as regional planning, economic development and labor market issues will also regularly occur between the Chief Local Elected Officials and the Local Workforce Investment Boards.

Local Workforce Investment Boards

A local board in each of the fourteen Workforce Investment Areas will serve the key role of providing direction on local strategic workforce issues, identifying local needs and developing strategies to address those needs. The Local Workforce Investment Board will be appointed by the Chief Local Elected Official. They will together establish infrastructures and operational and programmatic protocols, including: the development of the five-year workforce investment plan; the selection of the One-Stop Career Center Operator; the appointment of the youth council; determining conditions for direct local workforce investment board service provision and preparing waiver requests to the Governor. The Local Workforce Investment Board will interface with all of the mandatory One-Stop Career Center partners and other partners determined by the State or Chief Local Elected Official as service providers or contractual agents for services. Brokering may need to occur with other nontraditional service providers and other community groups when the Local Workforce Investment Board certifies designated one-stop career center facilities and determines resources for other sites or networks. As local entities package these operational pieces, ongoing dialogue will occur with state agencies for technical assistance and contract compliance.

In addition to the policy and oversight roles of the Local Workforce Investment Board, the Chief Local Elected Officials will provide guidance in the outreach efforts to employers to meet the Workforce Investment Act requirements of developing employer linkages and economic development strategies to assist employers in meeting hiring needs. There will also be dialogue with neighboring workforce investment areas to meet their regional planning responsibilities. Finally, the Local Workforce Investment Board will make contact with the general public to garner input on their plan, meet open meeting law requirements and provide performance and cost information on training providers.

Youth Councils

The Youth Council is responsible for coordinating youth activities in a local Workforce Investment Area. The Youth Council is appointed by the chair of the local Workforce Investment Board in conjunction with the Chief Local Elected Official. The Youth Council is a vehicle to develop a youth development system within a local community which links traditional employment and training activities with other comprehensive youth services.

One-Stop Career Center Operators

The One-Stop Career Center Operators, mutually selected by the Chief Local Elected Official and Local Workforce Investment Board, may be an independent contractor or a consortium of entities. Its role will be agreed to by the Local Workforce Investment Board ranging from simply coordinating service providers within the designated One-Stop Career Center to being the primary provider of services within the One-Stop Career Center. This entity will work directly with the Local Workforce Investment Area partners, training providers and contractual entities for training. Depending on the entity designated, it could also be the direct link to the job seeker and employer customers.

Local Workforce Investment Area Partners

Each local workforce investment area designated and state agency partner must have representation on the Local Workforce Investment Board. Continual dialogue will occur among the Local Workforce Investment Board and partners as joint efforts are solidified including the memoranda of understanding on their operational responsibilities to maintain the One-Stop Career Center delivery system and the delivery of core services applicable to the partner's programs. Each local workforce investment area must have at least one designated one-stop career center site with comprehensive core services and must provide access to other programs and activities provided by each Workforce Investment Act partner. Ongoing working relationships will continue for the efficacy of services to job seekers and employers such as sharing labor market and other appropriate information; reconfiguring affiliated sites and networks with local workforce investment board approval and meeting performance standards. Each separately funded program will also have a direct link with the respective agencies for allocations and contract compliance and reporting.

Training Providers

Training services may be provided under contract or by an individual training account. A list of state certified training providers will be established through a process with the State, local workforce investment board and chief local elected official to enable broader customer choice via the Individual Training Account System. Local boards may not provide training services unless the Governor grants a waiver for a restricted duration. Contracts for training services may be used instead of the direct training individual account system only under specific circumstances such as on-the-job training or customized training or based on insufficient or ineffective training providers in the area. In either case, these services will be directly connected with the designated One-Stop Career Center.

REQUEST FOR LOCAL WORKFORCE INVESTMENT BOARD CERTIFICATION AND MEMBERSHIP LIST

Local Workforce Investment Area _____

Contact Person _____ Title _____

Address _____

Telephone _____ Fax _____

Action ¹	Appointee Name & Title	Sector ²	Nominating Organization	Company (Address & Phone No.)	Member Being Replaced

- ¹
- A: Appointment to new position
 - R: Reappointment
 - V: Appointed to vacant position

- ²
- Bus: Representative of business
 - Ed: Representative of education
 - L: Representative of labor
 - CBO: Representative of community based organization
 - Econ: Representative of economic development
 - Part: One-stop partner
 - Other: Other individuals

NOTIFICATION OF LOCAL WORKFORCE INVESTMENT BOARD COMPOSITION CHANGE

Local Workforce Investment Area _____ Date _____

Contact Person _____ Title _____

Address _____

Telephone _____ Fax _____

Reason for Local Workforce Investment Board vacancy _____

Name of the Local Board member being replaced and sector or entity the member represented:

Name	Sector or Entity	New Member

Note: Whenever a change in the membership of the Local Workforce Investment Board occurs, the Division of Workforce Development must be notified in writing within five working days of the effective date of new members appointment. The notification must be from the Chief Local Elected Official or designee. The Chief Local Elected Official or designee should sign the attestation, below. This form accompanied by letters of nomination and appointment may be used to satisfy the requirement of written notification to the Division. The Division will review the certification in light of the new membership to ensure it is still in compliance with Section 117 of the Workforce Investment Act.

ATTESTATION

I / we, the undersigned chief local elected official or designee of the Local Workforce Investment Area _____, do hereby state that the information provided within this notification of Local Workforce Investment Board composition change is complete and accurate to the best of my / our knowledge.

I / we also certify that all applicable provisions of the Workforce Investment Act were followed in the making of any appointments indicated above.

Chief Local Elected Official or designee _____

(Example Only)

**CHIEF LOCAL ELECTED OFFICIAL
CONSORTIUM AGREEMENT**

THIS AGREEMENT, made and entered into this _____ day of _____ 1999,
by and between the COUNTIES OF _____ in
the State of Missouri (hereinafter, the Counties):

WITNESSETH

WHEREAS, the Chief Local Elected Officials of the aforementioned counties did previously adopt resolutions authorizing the creation a consortium, in order to administer the provisions of Public Law 105-220, the Workforce Investment Act, and

WHEREAS, the Chief Local Elected Officials of each of the aforementioned counties has adopted a resolution authorizing the County Commissioners or County Executive to sign this Charter under the Workforce Investment Act (Public Law 105-220) (hereinafter, the Charter):

NOW, THEREFORE, in consideration of the above premises and the mutual covenants of the parties hereinafter set forth, the receipt and each party acknowledges sufficiency of which for itself, the Counties do hereby agree to the following Charter:

AGREEMENT

SECTION 1: That the Counties of _____

do hereby constitute themselves to be a consortium for the purposes of Section 117 (c)(1)(B) of Public Law 105-220, the Workforce Investment Act.

SECTION 2: The Chief Local Elected Officials or the designees of said officials of the Counties in paragraph 1 shall constitute the Workforce Investment Area Consortium of Commissioners (hereinafter, the Consortium) which shall appoint the Workforce Investment Board under Section 117(c)(1)(A) of the Act.

SECTION 3: The Consortium shall elect from its membership a chairperson, a vice-chairperson and such other officers as may be provided in the bylaws to serve for a term of one year or until a successor is elected and qualified. Vacancies shall be filled by election for the residue of the unexpired term. The Chairperson shall appoint a staff person of one of the consortium member counties to serve as board clerk.

SECTION 4: Roberts Rules of Order, newly revised, shall govern the procedures of the Consortium insofar as they do not conflict with applicable law or administrative rules or bylaws duly adopted by the Consortium.

SECTION 5: The Consortium may adopt operational and procedural bylaws consistent with this Charter, applicable federal and state laws and rules or regulations pursuant thereto. Bylaws or amendments thereto may be adopted by the affirmative vote of 2/3 of the entire membership of the Consortium at any regular meeting called for that purpose, provided that written copies thereof are delivered to each member fifteen days prior to consideration.

SECTION 6: The Consortium shall appoint the Local Workforce Investment Board, under Section 117(c)(1)(A) of Public Law 105-220 and applicable rules thereunder.

SECTION 7: The Consortium shall execute an agreement with the Local Workforce Investment Board for the operation and functions of the Local Workforce Investment Board under Section 117 of the Act, and shall approve all local plans under Section 118 of the Act.

SECTION 8: The Consortium shall perform all functions for chief local elected officials as contained in Public Law 105-220, the Workforce Investment Act.

SECTION 9: This Charter agreement shall be effective when approved by resolutions adopted by the County Commissioners or County Executive of each county party hereto and executed by the Chief Local Elected Official thereof pursuant to said resolution and shall thereupon act to repeal and supersede any and all prior written or oral consortium agreements under Public Law 102-367, the Job Training Partnership Act.

SECTION 10: Amendments to the Charter agreement may be adopted with the concurrence of the County Commissioners or County Executive of each county party hereto. The Consortium may be dissolved and this agreement may be rescinded only with the consent of all the County Commissioners or County Executives of the counties party hereto and the Governor.

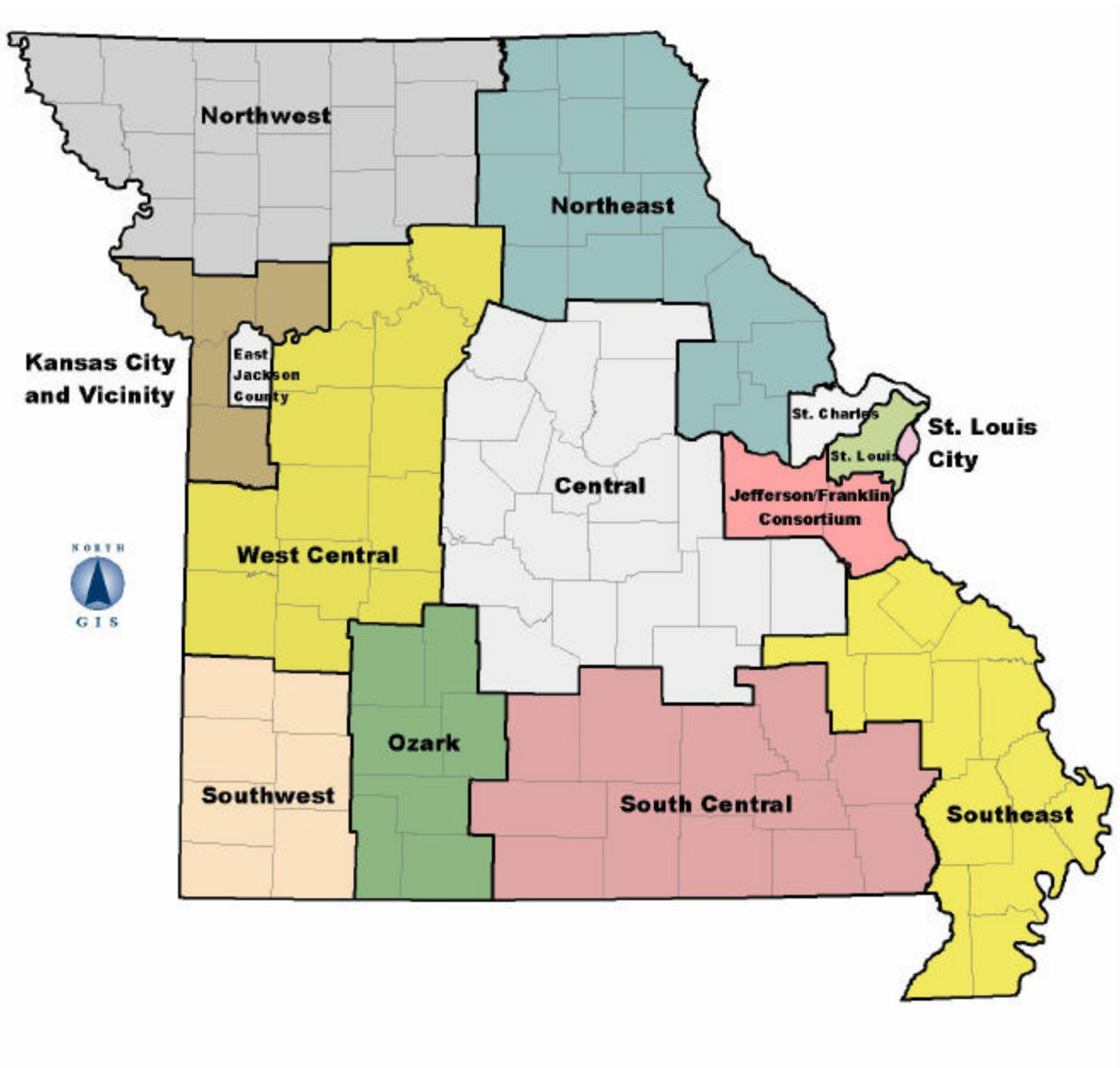
IN WITNESS WHEREOF, the parties hereto have caused this Charter Agreement to be executed by the Chairperson of the County Commissioners or the County Executive of the aforementioned Counties.

_____ COUNTY BY: _____ (Chief Local Elected Official)

Done this _____ Day of _____, 1999. in the City of _____,
MO.

ATTEST:

LOCAL WORKFORCE INVESTMENT AREAS



RESOURCES FOR MORE INFORMATION

Publications

A Guide for Advancing Leadership Strategies: A Regional Approach for Building the Leadership Capacity of State and Local Workforce Boards. National Institute for Workforce Excellence, January 2001.

Developing a Community Vision: A Case Study of the Charlotte-Mecklenburg Workforce Board and its Five-Year Strategic Plan. Workforce Board Development Series, October 2000, The National Association of Workforce Boards, Washington D.C.

Establishing a Partnership and a Local Partners Table: A Framework for Integrated Service Delivery Partners for Workforce Development. The New York Association of Training and Employment Professionals, New York Regional Office, U.S. Department of Labor, Lori Strumpf Associates, February 2001.

Target Missouri II: A Regional Approach to Economic Development. Research and Planning Group of the Missouri Department of Economic Development.

The Practice of State and Regional Planning. The American Planning Association, in collaboration with the International City Management Association. Chicago, 1986.

Diversity and Workforce Investment Boards (The Statewide Diversity Report). The Missouri Training and Employment Council. July 2001.

Internet Resources

www.usworkforce.org	U.S. Department of Labor, Employment and Training Administration
www.WIBleadership.com	National Leadership Institute for Workforce Excellence
www.workforceatm.org	National Association of State Workforce Agencies
www.naswa.org	National Association of State Workforce Agencies
www.nawb.org	National Association of Workforce Boards
www.ecodev.state.mo.us/wfd	Missouri Department of Economic Development, Division of Workforce Development
www.workforce-excellence.net	Workforce Excellence Network